

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Tammy Walters,

Civil No. 10-1935 (RHK/FLN)

Plaintiff,

ORDER

v.

Michael J. Astrue, Commissioner
of Social Security,

Defendant.

Based on the Court's de novo review of the March 9, 2011 Report and Recommendation of Magistrate Judge Franklin L. Noel, the Objection filed with respect thereto, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. The Objection (Doc. No. 24) is **OVERRULED**;
2. The Report and Recommendation (Doc. No. 22) is **ADOPTED**;
3. Plaintiff's Motion for Summary Judgment (Doc. No. 9) is **DENIED**;
4. Defendant's Motion for Summary Judgment (Doc. No. 17) is **GRANTED**; and
5. The Commissioner's decision is **AFFIRMED** and the case is **DISMISSED**

WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 18, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge